

ENTERED

June 26, 2018

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION****CADE HUDSON, *et al.*,****Plaintiffs,****VS.****BRAD LIVINGSTON, *et al.*,****Defendants.**§
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§**CIVIL ACTION NO. 4:18-CV-976****EDNA WEBB, *et al.*,****Plaintiffs,****VS.****BRAD LIVINGSTON, *et al.*,****Defendants.**§
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§**CIVIL ACTION NO. 4:14-CV-3302****ORDER**

Pending before the Court are the Motion for Summary Judgment (Doc. No. 434) and the Motion to Dismiss and to Change the Style of the Case (Doc. No. 535) filed by Defendant Joe Oliver. Oliver is a defendant in the matter of *Hudson v. Livingston et al.*, Case No. 4:18-cv-976. The *Hudson* case was recently severed from *Adams v. Livingston et al.*, Case No. 4:14-cv-3326, which had been consolidated with *Webb v. Livingston*, Case No. 4:14-cv-3302. Oliver's motions are docketed in the *Webb* matter but are properly associated with the *Hudson* matter.

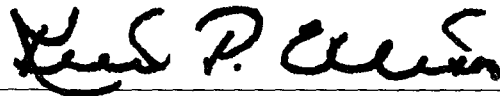
Oliver, a staff psychiatrist at the Texas Department of Criminal Justice, explains that he never worked at the Gurney Unit, where events relevant to the *Hudson* matter occurred, and never provided medical care to Douglas Hudson, the decedent in the *Hudson* matter. (Doc. No.

535 at 2.) As Oliver notes, Plaintiffs have previously “concede[d] that no material fact dispute exist[s] as to claims against ... Oliver, and that claims against [him] should be dismissed.” (Doc. No. 481 at 8 n.5.) Moreover, Plaintiffs have not responded to Oliver’s Motion to Dismiss. Under the Local Rules of this district, “[f]ailure to respond will be taken as a representation of no opposition.” S.D. Tex. L.R. 7.4.

Accordingly, Oliver’s Motion to Dismiss and to Change the Style of the Case is **GRANTED**. He is dismissed from the *Hudson* matter, and the Clerk is directed to remove him from the caption of that case.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on the 26th day of June, 2018.

A handwritten signature in black ink, appearing to read "Keith P. Ellison", written over a horizontal line.

KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE